

RULES SCHEDULED TO BE HEARD FOR ADOPTION AT THE MAY 26, 2005, REGULATORY HEARING:

Amendment to Rule 1433, Application for License to Conduct a Horse Racing Meeting. Rule 1433 incorporates by reference forms CHRB-17, Application for License to Conduct a Horse Racing Meeting, and CHRB-18, Application for License to Conduct a Horse Racing Meeting of a California Fair. CHRB-17 will be amended to require that applicants file an audited annual financial statement with the application for license. CHRB-17 and CHRB-18 will also be revised to collect information about the applicant's electronic security system and emergency lighting system in the case of the night racing industry. In addition, the applicant must identify steps it is taking to increase on-track attendance and to develop new horse racing fans. Other changes to the applications eliminate redundant words and phrases, and renumber sections as needed.

Amendment to Rule 1663, Entry of Claimed Horse. Rule 1663 provides that a horse claimed in a California claiming race is ineligible to race in any State other than California until the close of the meeting; where it was claimed except in a stakes race. The proposed amendment will make a horse claimed out of a claiming race in California ineligible to race in any State other than California until 60 days after the close of the meeting at which it was claimed except in a stakes race. Additionally, the proposed amendment includes standardbred horses in the 60-day prohibition while maintaining the breed's exemption from the remaining provisions of the Rule.

Amendment to Rule 1887, Trainer to Insure Condition of Horse. Rule 1887 requires the Board or its agents to notify a trainer of a potential positive test finding within 18 calendar days from the date the sample is taken. The proposed amendment changes the timeframe from 18 calendar days to 21 calendar days.

Amendment to Rule 1976.9, Pick (n) Pool. Rule 1976.9 is a pari-mutuel wagering rule. The proposed amendment provides that if the condition of the turf course warrants a change of racing surface in a race that is included in a Pick (n), and the public was not informed before the close of wagering on the Pick (n), the race will be declared as no contest by the stewards for the purposes of the Pick (n) Pool. The proposed amendment also permits the totalizator to provide information pertaining to possible Pick (n) payouts for each of the runners when the last race comprising the Pick (n) is the only race remaining to be run. Additionally, all references to a single price pool were changed to a win pool.

RULES SCHEDULED TO BE HEARD FOR ADOPTION AT THE APRIL 28, 2005, REGULATORY HEARING:

Amendment to Rule 1420 – Definitions. Rule 1420 provides definitions of terms related to horse racing. The proposed amendment would delete subsection (aa), which defines "weight for age."

Amendment to Rule 1615 - Scale of Weights For Age. Rule 1615 sets forth the scale of weights to be carried if the conditions for a race do not specify otherwise. The proposed amendment would replace the scale of weights for age with new minimum jockey weights, and introduce minimum body fat content requirements for male and female jockeys. In addition, the proposed

amendment requires that all horses carry ten pounds of riding gear from withers to rump, defines riding gear, and requires that the official program announce the jockey's actual weight, the weight of the riding gear, and any additional weight. The proposed amendment also provides an optional 24-month period of compliance with body fat requirements for any jockey licensed in the United States before December 31, 2004.

Repeal of Rule 1616 - Minimum Weights to Be Carried. Rule 1616 states the minimum weights to be carried in various types of races. This rule would be repealed due to the new jockey weights proposed under Rule 1615.

Repeal of Rule 1684 - Items Included in Weight. Rule 1684 lists items to be included in a jockey's weight. This rule would be repealed as the proposed amendment to Rule 1615 defines most of the items in Rule 1684 as "riding gear" rather than items to be included in the jockey's weight. The remaining items in Rule 1684 are not considered riding gear or part of the jockey's weight.

HEARD FOR ADOPTION AT THE JANUARY 20, 2005, REGULATORY HEARING:

Addition of Rule 1843.6, Total Carbon Dioxide Testing. Carbon dioxide is natural to the horse, so without catching someone in the act of administering an alkalizing agent within 48 hours of a race, the mere detection of carbon dioxide in equine samples would not in itself indicate wrongdoing. The proposed addition will permit the Board to differentiate between what is natural to the horse and what is the result of an alkalizing substance by measuring the amount of TCO₂. In addition, the proposed regulation provides a classification of TCO₂ violations for administrative purposes, which would allow for penalties should excessive carbon dioxide be detected in a test sample.

The proposal was adopted by the Board at the January 20, 2005, regulatory hearing. It will be submitted as an emergency regulation when the governor signs Assembly Bill 52.